

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 10-cv-02595-REB-BNB

WILDEARTH GUARDIANS,

Plaintiff,

v.

KEN SALAZAR, in his official capacity as Secretary of the
United States Department of the Interior,

Defendant.

ORDER

This matter arises on **Defendant’s Unopposed Motion for Stay of Proceedings** [Doc. # 6, filed 12/10/2010] (the “Motion to Stay”). The parties seek to stay all proceedings “pending final action by the United States Judicial Panel on Multidistrict Litigation on a Notice of Tag-Along Actions filed on December 7, 2010.” Motion to Stay [Doc. # 6] at p. 1. In support of the Motion to Stay, the defendant states:

This action is one of many, nearly identical actions filed by Plaintiff WildEarth Guardians alleging that the United States Fish and Wildlife Service failed to respond to several petitions to list hundreds of species pursuant to the mandatory timelines set forth in the Endangered Species Act, 16 U.S.C. §1531 *et seq.* While the underlying facts and circumstances of the instant case are specific to the gila monster (*Heloderma suspectum*), the Complaint raises issues that are nearly identical to those raised in the cases consolidated before the MDL.

Memorandum In Support [Doc. # 6-1] at pp. 1-2.

I find that granting the stay is likely to conserve judicial resources and the resources of the parties and will not result in any prejudice to any party.

IT IS ORDERED:

(1) The Motion to Stay [Doc. # 6] is GRANTED, and all proceedings are stayed pending further order of the court;

(2) The scheduling conference set for January 13, 2011, at 2:30 p.m., is VACATED;
and

(3) The parties shall file a status report within 10 days of any order on the Notice of Tag-Along Actions reporting the ruling and addressing what pretrial proceedings, if any, should be scheduled in this court.

Dated December 13, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge